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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/507,927 | 09/17/2004 | Tomomi Tateishi | 1330-0141PUS1 | 6806 |

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| EXAMINER | |
|---|---|
| MCCLELLAND, KIMBERLY KEIL | |
| **ART UNIT** | **PAPER NUMBER** |
| 1734 | |

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/507,927 | TATEISHI, TOMOMI | |
| | Examiner | Art Unit | |
| | Kimberly K. McClelland | 1734 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *08 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1,2,4-14 and 16-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-14 and 16-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *6/9/03* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,194,119 B1 to Wolk et al.

With respect to Claim 1, Wolk et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Wolk et al. discloses heating (column 4, lines 31-37) and pressing (column 7, lines 18-22) a transfer material having an organic thin-layer (column 2, lines 38-41) formed on a temporary support (column 1, line 66-column 2, line 5) and a first laminate comprising a substrate (column 19, lines 17-22) and at least a transparent conductive layer or a rear-surface electrode (column 19, lines 42-45) formed on said substrate, which overlap each other such that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 5A), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (column 12, lines 9-13); and bonding a second laminate (column 12, lines 45-56) comprising a substrate (copper phthalocyanine, column 23, lines 41-42) and at least a rear-surface electrode or a transparent conductive layer (aluminum cathode, column 23, lines 44-45) formed on said substrate to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by

an infrared heater (column 32, line 15-column 24, line 22, column 12, lines 9-13, column 8, lines 38-40 and column 4, lines 31-37).

As to Claim 2, Wolk et al. discloses transferring by heating and pressing (column 7, lines 18-22).

As to claim 4, Wolk et al. discloses the transfer material is formed by a wet method (coating, column 5, lines 48-50).

As to claim 5, Wolk et al. discloses the second laminate has an organic thin-film layer formed on the rear-surface electrode (column 23, lines 47-49).

As to claim 6, Wolk et al. discloses the first laminate and second laminate have a thermal expansion coefficient of 20ppm/°C or less (column 19, lines 17-29, column 15, lines 48-59, column 32, line 15-column 24, line 22).

As to claim 7, Wolk et al. discloses the organic thin-film layer contains at least a light-emitting, organic compound or a carrier-transporting, organic compound (column 2, lines 37-41).

As to claim 8, Wolk et al. discloses a hole-transporting, organic thin-film layer, a light-emitting, organic thin-film layer and an electron-transporting, organic thin-film layer are successively transferred (column 15, lines 11-16, and column 16).

As to claim 9, Wolk et al. discloses at least one of said first substrate and said second substrate is provided with a transparent conductive layer (column 15, lines 40-43).

As to claim 10, Wolk et al. discloses at least one of said temporary support and said substrate is in the form of a continuous web (column 7, lines 9-11).

As to claim 11, Wolk et al. discloses the substrate is made of at least one material selected from the group consisting of polyimides; polyesters; polycarbonates; polyether sulfone; metal foils such as aluminum foil, copper foil, stainless steel foil, gold foil, silver foil; plastic sheets of liquid crystal polymers; fluorine-containing polymers such as polytchloroziuoroethylene), polytetrafluoroethylene, polytetrafluoroethylene-polyethylene copolymers (column 19, lines 17-29).

As to claim 12, Wolk et al. discloses a device formed from claim 1 (column 15, lines 55-column 16, line 22).

As to claim 13, Wolk et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Wolk et al. discloses heating (column 4, lines 31-37) and pressing (column 7, lines 18-22) a transfer material having an organic thin-layer (column 2, lines 38-41) formed on a temporary support (column 1, line 66-column 2, line 5) and a first laminate comprising a substrate (column 19, lines 17-22) and at least a transparent conductive layer or a rear-surface electrode (column 19, lines 42-45) formed on said substrate, which overlap each other such that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 5A), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (column 12, lines 9-13); and bonding a second laminate (column 12, lines 45-56) comprising a substrate (copper phthalocyanine, column 23, lines 41-42) and at least a rear-surface electrode or a transparent conductive layer (aluminum cathode,

column 23, lines 44-45) formed on said substrate to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by an infrared heater (column 32, line 15-column 24, line 22, column 12, lines 9-13, column 8, lines 38-40 and column 4, lines 31-37).

As to claim 14, Wolk et al. discloses transferring by heating and pressing (column 7, lines 18-22).

As to claim 16, Wolk et al. discloses the second laminate has an organic thin-film layer formed on the rear-surface electrode (column 23, lines 47-49).

As to claim 17, Wolk et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Wolk et al. discloses heating (column 4, lines 31-37) and pressing (column 7, lines 18-22) a transfer material having an organic thin-layer (column 2, lines 38-41) formed on a temporary support (column 1, line 66-column 2, line 5) and a first laminate comprising a substrate (column 19, lines 17-22) and at least a transparent conductive layer or a rear-surface electrode (column 19, lines 42-45) formed on said substrate, which overlap each other such that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 5A), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (column 12, lines 9-13); and bonding a second laminate (column 12, lines 45-56) comprising a substrate (copper phthalocyanine, column 23, lines 41-42) and at least a rear-surface electrode or a transparent conductive layer (aluminum cathode,

column 23, lines 44-45) formed on said substrate to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by an infrared heater (column 32, line 15-column 24, line 22, column 12, lines 9-13, column 8, lines 38-40 and column 4, lines 31-37).

As to claim 18, Wolk e al. discloses a method for thermal transfer for forming organic electroluminescent devices. Wolk et al. discloses heating (column 4, lines 31-37) and pressing (column 7, lines 18-22) a transfer material having an organic thin-layer (column 2, lines 38-41) formed on a temporary support (column 1, line 66-column 2, line 5) and a first laminate comprising a substrate (column 19, lines 17-22) and at least a transparent conductive layer or a rear-surface electrode (column 19, lines 42-45) formed on said substrate, which overlap each other such that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 5A), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (column 12, lines 9-13); and bonding a second laminate (column 12, lines 45-56) comprising a substrate (copper phthalocyanine, column 23, lines 41-42) and at least a rear-surface electrode or a transparent conductive layer (aluminum cathode, column 23, lines 44-45) formed on said substrate to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by an infrared heater (column 32, line 15-column 24, line 22, column 12, lines 9-13, column 8, lines 38-40 and column 4, lines 31-37).

***Response to Arguments***

3. Applicant's arguments filed March 28th, 2006 have been fully considered but they are not persuasive. With respect to claims 1, 13, and 17-18 applicant claims heating wherein the heating is carried out by heating means selected from the group consisting of a laminator, and infrared heater, and a roller heater. Wolk discloses heating by a heating element, converting radiation to heat, and/or applying an electrical current to generate heat (column 4, lines 31-37). Applicant asserts that these means do not meet the claimed limitations in claims 1, 13, and 17-18. Examiner disagrees.

4. An infrared lamp (or laser) acts as a source of radiation energy, as does an infrared heater, to provide heat to the composite. In the absence of further distinction between the disclosure of Wolk and the claimed invention of the applicant, examiner assumes the infrared lamp of Wolk acts as an infrared heater, thus meeting the limitations of the claimed invention.

5. Applicant further argues the heater of Wolk requires a LTHC (light to heat conversion) layer. However, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the lack of an LTHC layer) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

6. Applicant also argues Wolk only transfers a portion of the transfer material, as opposed to the entire pattern material of the organic-film layer. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., transferring the entire organic thin-film layer) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. In light of the current amendment, the objection to claim 11 is withdrawn.

8. In light of the current amendment, the rejection of claims 1 and 13 under 35 U.S.C. 112, second paragraph is withdrawn.

9. Claims 1-2, 4-14, and 16-18 are rejected under 35 U.S.C. 102(b).

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly K. McClelland whose telephone number is (571) 272-2372. The examiner can normally be reached on 8:00 a.m.-5 p.m. Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris A. Fiorilla can be reached on (571)272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kim McClelland

KKM

Linda L Gray

LINDA GRAY
PRIMARY EXAMINER